

## EXECUTIVE SUMMARY

Oregon faces many difficult and complex challenges in the coming years. As the policy-making branch of state government, the Oregon Legislative Assembly must address these challenges and become a more efficient, effective institution.

The Public Commission on the Oregon Legislature (PCOL) concludes that many policies and practices prevent the legislature from being fully effective. Moreover, these policies and practices have diminished public respect and confidence in the legislative process; diminished the credibility of the legislature; and discouraged thoughtful and civic-minded individuals from running for and serving in the legislature.

During the course of its discussions and deliberations, the PCOL identified and agreed upon seven major problems facing the Oregon Legislative Assembly. These are:

- **Loss of public confidence** in the legislative process and in the legislature as an institution. For some, the legislature is no longer viewed as a place where an ordinary citizen can “make a difference” for Oregon.
- **Reduction of legislative independence and authority** due to an increase in the influence of state agencies and the lobby, significant consequences of the initiative process, and conditions imposed on states by the federal government.
- **Increasing complexity of the state’s funding obligations** and the attendant legislative tasks stemming from those obligations. Initiative measures and federal rules and laws frequently demand complicated legislative decisions to craft funding and policy solutions that are both difficult to create and to communicate. Measures 5 and 11 are but two examples.
- **Excessive partisanship** at the expense of collaboration and creative problem solving. The public perception is that non-constructive partisanship erodes public faith in the legislature and its ability to find reasonable compromise.
- **Escalating costs of election campaigns** tempt office seekers to put the need to raise money ahead of resolving issues and adds to the perception of undue influence by self interested groups.
- **Decline of the citizen legislature.** Oregon’s proud tradition of a citizen legislature does not coincide with today’s extensive time demands on legislators.
- **Adapting to 21<sup>st</sup> Century demands for institutional responsiveness.** Advances in technology, changing demographics, and increasing citizen expectations require a thorough understanding of these dramatic changes and an appropriate set of thoughtful responses.

The PCOL believes that the following key recommendations will, if enacted by the 74<sup>th</sup> Legislative Assembly, increase the credibility and effectiveness of the legislature in the 21<sup>st</sup> Century. They will address the seven problem policies and practices identified above, and begin rebuilding citizen confidence in the legislature.

**FREQUENCY AND LENGTH OF LEGISLATIVE SESSIONS:** The PCOL believes that an effective legislature addresses problems in a timely fashion. These recommendations provide innovative and meaningful solutions to the problems listed above, and will rebuild citizen confidence in the legislature.

Therefore, the PCOL recommends that the 74<sup>th</sup> Legislative Assembly:

- Make substantial changes in the timing and operation of the 2007 session
- Determine how and whether it is desirable to have annual sessions beginning with the 2009 session

**PARTISANSHIP:** The PCOL recognizes that partisan campaigns, elections, and organizations play a critical and constructive role in the formation of public policy. However, the commission strongly believes that an effective legislature encourages partisanship to be set aside for the best interests of the state. The PCOL also believes that extreme partisanship discourages many qualified candidates from running for legislative office.

Therefore, the PCOL recommends that the 74<sup>th</sup> Legislative Assembly:

- Adopt legislation creating an “open” primary election, where all registered voters in Oregon are allowed to vote for all candidates
- Consider legislation to make the office of State Representative and State Senator nonpartisan offices
- Enact legislation creating a State Controller to manage, administer and oversee state elections and election policy, campaign finance administration, investigations including elections and ethics issues, and legislative redistricting

The PCOL also concludes that some rules and practices of the legislature promote excessive partisanship and prevent problems from being addressed efficiently and effectively. Accordingly, the commission recommends that the 74<sup>th</sup> Legislative Assembly adopt rules to:

- Empower leadership of the minority party to select minority representatives on legislative committees
- Require that Vice-Chairs of legislative committees be from minority parties
- Allow measures with demonstrable evidence of a majority of members of the chamber in support, move to the floor for debate and vote

Further, the PCOL urges that the Rules of the House and Senate not be used to prevent consideration of significant policy issues. Presiding officers should represent the body as a whole and not use their authority to prevent debate on policy matters. Majority and minority leadership also should develop a more collaborative environment for discussing legislative priorities and establish collaborative processes that include the minority in session management.

**INITIATIVE PETITION:** The PCOL believes that an effective legislature is a full partner in Oregon’s lawmaking system, a system that includes the initiative, referendum and referral process.

Therefore, the PCOL recommends that the 74<sup>th</sup> Legislative Assembly:

- Adopt legislation making a number of changes to the initiative process that the commission believes will better ensure its integrity

**LEGISLATOR COMPENSATION:** The PCOL believes that the current salary paid to legislators does not reflect the duties of the office and is not sufficient to attract citizens of the highest quality to public service.

Therefore, the PCOL recommends that the 74<sup>th</sup> Legislative Assembly:

- Revive the Public Officials Compensation Commission, which will be charged with establishing salaries for the state’s elected officials
- Discuss legislator compensation in conjunction with the commission’s recommendations regarding ethics and integrity

**ETHICS AND INTEGRITY:** The PCOL believes that an effective legislature earns the trust and respect of the public through high ethical standards of legislators and the fairness and integrity of the legislative process. The commission notes that a number of widely reported incidents during the 73<sup>rd</sup> Legislative

Assembly reduced public trust in the legislature. The PCOL also believes that the increasing costs of campaigns and the reliance by legislators on campaign contributions from special interests fuels public cynicism about the legislative process and inhibits independent decision making by legislators.

Therefore, the PCOL recommends that the 74<sup>th</sup> Legislative Assembly:

- Enact legislation creating a Commission on Campaign Finance Reform to examine the role of campaign finance in legislative decision making
- Enact legislation prohibiting candidates for political office and elected officials from using campaign contributions to pay for personal expenses
- Consider legislation that would reduce the length and cost of campaigns by moving the primary election from the current fourth Tuesday in May to a later date

The PCOL also notes an inherent conflict in the fact that the Legislative Assembly approves the budget of the Oregon Government Standards and Practices Commission (GSPC), which is charged with ethical oversight of the Legislative Assembly. The PCOL recommends that the 74<sup>th</sup> Legislative Assembly identify, develop and implement a dedicated and stable source of funding for the GSPC that is as independent of legislative approval as legally possible.

**PUBLIC ACCESS:** The PCOL believes that an effective legislature is open and accessible to the public.

Therefore, the PCOL recommends that the 74<sup>th</sup> Legislative Assembly:

- Continue and expand policies and practices that have led the Oregon legislature to earn a reputation for accessibility and openness
- Authorize state funding for a pilot program that will provide comprehensive, unedited coverage of legislative sessions

**IMPROVEMENTS TO THE OREGON STATE CAPITOL:** The PCOL believes that an effective legislature operates in a safe, up-to-date facility.

Therefore, the PCOL recommends that the 74<sup>th</sup> Legislative Assembly:

- Take steps to ensure the security of the Oregon State Capitol
- Develop a comprehensive plan addressing necessary renovations of the Oregon State Capitol
- Create a wireless network in the capitol

**STAFFING OF LEGISLATIVE OFFICES:** The PCOL believes that an effective legislature requires and has a professional, dedicated and well-qualified staff to facilitate the legislative process. This is especially true if the legislature moves to annual sessions, as the commission recommends.

Therefore, the PCOL recommends that the 74<sup>th</sup> Legislative Assembly:

- Conduct a thorough review of the Legislative Counsel, Legislative Fiscal, and Legislative Revenue Offices to ensure that staffing levels are adequate to serve the needs of the legislature
- Insulate committee staff from partisanship
- Adopt rules requiring legislators who hire spouses or other relatives as employees in their legislative office to file with the Chief Clerk of the House or Secretary of the Senate a statement that he or she has hired a relative and specifying the salary of that individual
- Require the Chief Clerk of the House or Secretary of the Senate to certify that the salary, and any subsequent salary increases, are within the range acceptable for that position

**LEGISLATIVE CONSIDERATION OF PCOL RECOMMENDATIONS:** To ensure that the recommendations of the commission receive full and fair consideration by the 74<sup>th</sup> Legislative Assembly, the PCOL strongly recommends that the 74<sup>th</sup> Legislative Assembly:

- Consider this report as a package of recommendations and that each recommendation not stand alone. The recommendations are meant to be seen as a coherent whole even though they address different issues. The recommendations should be treated respectfully and with a burden of persuasion already adopted by virtue of approval by the commission.
- Create a Joint Committee to consider all bills introduced by the commission
- Instruct the joint committee to meet during the 2007-2008 interim to monitor implementation of commission recommendations as well as to continue work on other legislative improvements
- Create a new legislative improvement commission no later than 2016
- Report on implementation of commission recommendations, comparing recommendations vs. implementation, by July 1, 2007 or two weeks after Sine Die